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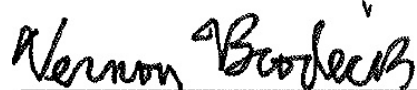
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September 16, 2020

Consistent with my February 11, 2020 Order, Plaintiff originally filed the documents on the docket and, as stated in his letter, possesses copies of the documents that were eventually filed under seal. Therefore, Plaintiff has permission to use any copies of the documents in his possession solely in connection with the Second Circuit's judicial complaint investigation.

SO ORDERED:



HON. VERNON S. BRODERICK 9/17/2020
UNITED STATES DISTRICT JUDGE

**United States District Court
Southern District of New York**

MOUSSA DIARRA,

Plaintiff,

V.

CITY OF NEW YORK,

Defendant.

Civil No. 1:16-civ-07075(VSB)
(closed)

**REQUEST TO TRANSMIT A
COPY OF SEALED PHOTOS
VIA SECURED MAIL TO
SECOND CIRCUIT
FOR JUDICIAL
MISCONDUCT
INVESTIGATION.**

Ref: Request to submit copies of Sealed Evidence for Second Circuit Judicial Complaint Against Judge Vernon Broderick:

Judge Vernon Broderick:

Mr. Diarra requests permission to transmit a copy of sealed photos (Mrs. Diarra), in his possession, to Second Circuit's clerk's office as part of their on-going investigation on your handling of the matter, docket, 1-16-cv-07075. See, Exhibit 1.

Relevancy of sealed photos¹:

Photos of Mrs. Diarra were previously sealed by this office. See, sealing order - Exhibit 2.

The photos are relevant under FRE 401 because they show that no rape kit was ever made at the time of the actual arrest / incident – no photos of Mrs. Diarra were taken before the arrest - instead photos showing Mrs. Diarra's healthy genitalia were then taken four-five months later. However, Mr. Diarra was arrested for genital cutting.

This is the fifth request to transmit copies of sealed documents held in custody by Judge Broderick, see ECF 261- ECF 265 dated April 1 2020, April 7 2020, May 7 2020 and August 14th, 2020. All these requests were summarily ignored.

¹ The affirmation of the District Court's order by the Second Circuit is not binding precedent and has little or no jurisprudential value, depending on the District judge's interpretation – rendering the District Court's order in the first Diarra matter non-binding precedent. By its nature, this order is subject to a weaker standard of reversal should the summary order come under review by a different panel of the Second Circuit or a different District judge.

1 Two requests were made to transmit email copies to the New York
2 Comptroller's office for a *notice of claim* evidentiary submission,: one
3 request was made to transmit a copy to the department of justice for
4 their criminal investigation into judicial corruption , ECF - 265.

5
6 Mr. Diarra would like to remind chambers of their duty to respond
7 to matters accordingly as part of the equal protection clause's
8 interpretation of equal justice. If there is a legal basis why these photos
9 should not be shared with the New York Comptroller's Office,
10 Department of Justice and Second Circuit clerk's office, chambers
11 should deny this request with appropriate legal writing.

12
13 DATED: LIVINGSTON, NEW JERSEY
14 September 16th, 2020

15 Respectfully Submitted,

16
17 /s/ Kissinger N. Sibanda
18 KISSINGER N. SIBANDA, ESQ.,
19 Attorney for the Plaintiff
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1 To: **BY ECF**

2 Honorable Vernon S. Broderick
3 United States District Court
4 Southern District of New York
5 40 Foley Square,
6 Room 415 New York, NY 10007
7

8 **VIA ECF**

9 Cooperation Counsel - James Johnson
10 New York Law Department
11 Valerie E. Smith Esq (Assigned)
12 Attorney for Defendant
13 100 Church St.
14 New York, NY 10007
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16

17 **CC: COLLEN McMAHON**

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19 Chief judge SDNY.
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